

**FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 3, 2005**

House of Representatives

The House convened at 10:45 a.m., Mr. Denney in the Chair.

Roll call showed 69 members present.
Absent and excused -- Loertscher. Total -- 1.
Total -- 70.

Prayer was offered by Representative Rydalph.

The Pledge of Allegiance was led by Tara Ridinger, Page.

Approval of Journal

March 3, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 2, 2005

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 22, H 24, H 39, H 51, H 66, H 29, and H 31

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 2, 2005

Mr. Speaker:

I transmit herewith **SJM 107, S 1036**, as amended, **S 1143, S 1125**, and **S 1119** which have passed the Senate.

WOOD, Secretary

SJM 107, S 1036, as amended, **S 1143, S 1125**, and **S 1119** were filed for first reading.

March 2, 2005

Mr. Speaker:

I return herewith **HJM 3** which has passed the Senate.

WOOD, Secretary

HJM 3 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 3, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 18, H 284, H 285, H 286, H 287, H 288, H 289**, and **H 290**.

FIELD(18), Chairman

HCR 18 was referred to the Judiciary, Rules, and Administration Committee.

H 284 was referred to the Resources and Conservation Committee.

H 285 was referred to the Local Government Committee.

H 286 was referred to the Health and Welfare Committee.

H 287 was referred to the Education Committee.

H 288, H 289, and **H 290** were held at the Desk.

March 3, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 46, H 47**, and **H 103**.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **H 46, H 47**, and **H 103**, would be signed by the Speaker, and when so signed, ordered them transmitted to the Senate for the signature of the President.

March 2, 2005

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 271** and recommend that it do pass.

BARRETT, Chairman

H 271 was filed for second reading.

March 2, 2005

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 178, S 1091**, and **S 1110** and recommend that they do pass.

WOOD, Chairman

H 178, S 1091, and S 1110 were filed for second reading.

March 2, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 123** and recommend it be referred to the Ways and Means Committee.

BLOCK, Chairman

H 123 was referred to the Ways and Means Committee.

March 2, 2005

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 174** and report it back with amendments attached to be placed on General Orders for consideration.

JONES, Chairman

H 174 was placed on General Orders for consideration.

March 3, 2005

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 239** and **H 240** and recommend that they do pass.

DEAL, Chairman

H 239 and **H 240** were filed for second reading.

March 3, 2005

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 261** and recommend that it do pass.

CROW, Chairman

H 261 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SJM 107, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 291 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO LIQUOR LICENSES; AMENDING SECTION 23-903b, IDAHO CODE, TO PROVIDE AN EXCEPTION; AND AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-956, IDAHO CODE, TO PROVIDE FOR THE

CONTINUATION OF GOLF COURSE LIQUOR LICENSES FOLLOWING CHANGE OF LAND USE.

HOUSE BILL NO. 292 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO TRANSPORTATION PROJECT FINANCING; AMENDING CHAPTER 1, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-108, IDAHO CODE, TO DEFINE "GARVEE"; AMENDING CHAPTER 3, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-315, IDAHO CODE, TO SET FORTH POWERS AND DUTIES OF THE IDAHO TRANSPORTATION BOARD RELATING TO FEDERALLY-FUNDED HIGHWAY PROJECT FINANCING; AMENDING SECTION 40-702, IDAHO CODE, TO PROVIDE THAT THE STATE HIGHWAY ACCOUNT SHALL INCLUDE CERTAIN FEDERAL SURFACE TRANSPORTATION FUNDS; AMENDING SECTION 40-707, IDAHO CODE, TO PROVIDE FOR APPROPRIATION OF FEDERAL SURFACE TRANSPORTATION MONEYS IN THE STATE HIGHWAY ACCOUNT; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-718, IDAHO CODE, TO ESTABLISH THE GARVEE CAPITAL PROJECT FUND AND THE GARVEE DEBT SERVICE FUND; AMENDING SECTION 67-6201, IDAHO CODE, TO EXPAND THE PURPOSE OF THE IDAHO HOUSING AND FINANCE ASSOCIATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6205, IDAHO CODE, TO DEFINE THE TERMS "MUNICIPALITY," "STATE," "STATE BODY," "TRANSPORTATION BOARD," "TRANSPORTATION DEPARTMENT" AND "TRANSPORTATION PROJECT"; AMENDING SECTION 67-6206, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS OF THE IDAHO HOUSING AND FINANCE ASSOCIATION; AMENDING SECTION 67-6210, IDAHO CODE, TO PROVIDE THAT IDAHO TRANSPORTATION BOARD AND LEGISLATIVE APPROVAL AUTHORIZING NOTES OR BONDS OR ANY ISSUE THEREOF MAY CONTAIN PROVISIONS WHICH SHALL BE PART OF A CONTRACT, TO PROVIDE THAT THE ASSOCIATION SHALL NOT ISSUE BONDS OR NOTES TO FINANCE TRANSPORTATION PROJECTS UNLESS CERTAIN CONDITIONS ARE MET AND TO PLACE LIMITS ON REISSUE OF BONDS AND NOTES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 293 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE OFFICE OF THE ATTORNEY GENERAL; AMENDING SECTION 67-1401, IDAHO CODE, TO REVISE DUTIES OF THE ATTORNEY GENERAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE THAT A DEPARTMENT, AGENCY, OFFICE, OFFICERS, BOARD, COMMISSION, INSTITUTION OR OTHER STATE ENTITY MAY BE REPRESENTED BY OR OBTAIN ITS LEGAL ADVICE FROM AN ATTORNEY AT LAW OTHER THAN

THE ATTORNEY GENERAL; AMENDING SECTION 67-1408, IDAHO CODE, TO PROVIDE FOR BILLING TO AGENCIES WHEN THE ATTORNEY GENERAL HAS BEEN REQUESTED TO PROVIDE LEGAL SERVICES TO THE STATE AGENCIES AND TO DELETE LANGUAGE STATING THAT THE ATTORNEY GENERAL SHALL MANAGE THE ATTORNEY GENERAL'S OFFICE TO PROVIDE UNIFIED LEGAL SERVICES BASED UPON THE LEGAL NEEDS OF THE STATE; AND REPEALING SECTION 67-1409, IDAHO CODE.

H 291, H 292, and H 293 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1036, as amended, and **S 1119**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1143, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

S 1125, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 278, by Appropriations Committee, was read the second time by title and filed for third reading.

H 254, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

SJM 102, SJM 103, and SJM 104, by Resources and Environment Committee, were read the second time by title and filed for third reading.

H 245 and H 214, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1013, S 1014, S 1015, and S 1016, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 162 and H 139, as amended, by Business Committee, were read the second time by title and filed for third reading.

S 1023, by Goedde, was read the second time by title and filed for third reading.

S 1162, by Finance Committee, was read the second time by title and filed for third reading.

H 94, as amended, **H 97**, as amended, **H 127**, as amended, and **H 130**, as amended, by Judiciary, Rules, and Administration

Committee, were read the second time by title and filed for third reading.

H 68, as amended, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 185, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 195, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 235 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bilbao to open debate.

The question being, "Shall **H 235** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- McKague, Wood. Total -- 2.

Absent and excused -- Deal, Eskridge, Loertscher, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 235** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 15 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **HCR 15** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 15** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 202 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smylie to open debate.

The question being, "Shall **H 202** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Bolz, LeFavour, Ringo. Total -- 3.

Absent and excused -- Eskridge, Loertscher, Schaefer. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 202** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 72 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bilbao to open debate.

The question being, "Shall **H 72** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Crow, Eskridge, Loertscher, Schaefer. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 72** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 73 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to

open debate.

The question being, "Shall **H 73** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Mitchell. Total -- 1.

Absent and excused -- Bedke, Crow, Eskridge, Loertscher. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 73** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 74 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Miller to open debate.

The question being, "Shall **H 74** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bedke, Eskridge, Loertscher. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 74** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 75 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 75** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Jones, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 46.

NAYS -- Andrus, Barrett, Bayer, Bedke, Clark, Ellsworth, Hart, Harwood, Kemp, Lake, Mathews, McGeachin, McKague, Moyle, Nielsen, Roberts, Sali, Schaefer, Shepherd(8), Smith(24), Wood. Total -- 21.

Absent and excused -- Crow, Eskridge, Loertscher. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 75** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 88** retain its place on the Third Reading Calendar until Monday, March 7, 2005. There being no objection, it was so ordered.

H 159 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **H 159** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Jones, Lake, LeFavour, Martinez, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Bayer, Bedke, Clark, Hart, Harwood, Kemp, Mathews, McKague, Moyle, Sali, Shepherd(8), Wood. Total -- 13.

Absent and excused -- Crow, Loertscher. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 159** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 163 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black to

open debate.

Mr. Moyle moved that the House recess until 1:10 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:10 p.m.

RECESS

Afternoon Session

The House reconvened at 1:10 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Loertscher. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Smith(24) asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

H 163, having previously been read the third time at length, was placed before the House for final consideration.

Pursuant to Rule 38(3), Mr. Roberts disclosed a conflict of interest regarding **H 163**.

Mr. Roberts moved that **H 163** be placed on General Orders for consideration. Seconded by Mr. Lake.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bolz, Bradford, Cannon, Clark, Eskridge, Harwood, Mathews, McGeachin, McKague, Moyle, Nielsen, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smylie, Stevenson, Wood. Total -- 26.

NAYS -- Anderson, Bastian, Bilbao, Black, Block, Boe, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Mr. Speaker. Total -- 42.

Absent and excused -- Loertscher, Shepherd(2). Total -- 2.

Paired Votes:

AYE -- Wood. NAY -- Shirley.

AYE -- Clark. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall **H 163** pass?"

Pursuant to Rule 38(3), Mr. Harwood disclosed a conflict of interest regarding **H 163**.

Pursuant to Rule 15, Mr. Sali asked unanimous consent for Division of Question on **H 163**.

Whereupon the Speaker ruled that, per the Idaho Constitution, Rules of the House of Representatives, and Mason's Manual of Legislative Procedures, **H 163** was not divisible.

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bell, Bilbao, Black, Block, Boe, Chadderdon, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 43.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bolz, Bradford, Cannon, Clark, Crow, Denney, Hart, Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Wood. Total -- 27.

Paired Votes:

AYE -- Bilbao. NAY -- Loertscher.

AYE -- Smith(30). NAY -- Wood.

AYE -- Mitchell. NAY -- Clark.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 163** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Friday, March 4, 2005. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:06 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk